

AMENDMENT TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

LISTING OF CLAIMS:

1. (Currently Amended) A method of treating ~~Use of whey permeate for producing a pharmaceutical composition for the prophylaxis or treatment of symptoms of metabolic syndrome or type 2 diabetes or [[of]] secondary diseases thereof comprising administering a pharmaceutical composition comprising whey permeate [[in]] to a mammal in need thereof.~~
2. (Currently Amended) The use method according to claim 1, wherein the symptoms of the metabolic syndrome or type 2 diabetes are selected from glucose intolerance or insulin resistance.
3. (Currently Amended) The use method according to claim 1, wherein the secondary diseases are selected from arteriosclerosis, coronary insufficiency, arterial occlusive diseases, myocardial infarction, xanthomas, abdominal discomfort, splenohepatomegaly, pancreatitis, retinal lipemia, stroke, or kidney failure.
4. (Currently Amended) The use method according to ~~any one of claims 1 to 3~~ claim 1, wherein the whey permeate is sweet whey permeate.
5. (Currently Amended) The use method according to ~~any one of claims 1-4~~ claim 1, wherein the whey permeate is reduced in lactose.

6. (Currently Amended) The use method according to ~~any one of claims 1 to 5~~ claim 1, wherein the composition is microencapsulated.
7. (Currently Amended) The use method according to ~~any one of claims 1 to 6~~ claim 1, wherein the composition is formed as an oral form of administration.
8. (Currently Amended) The use method according to ~~any one of claims 1 to 7~~ claim 1, wherein the oral form of administration is a lozenge, a powder, granules, a syrup or a juice.
9. (Currently Amended) The use method according to ~~any one of claims 1 to 8~~ claim 1, wherein the composition ~~further~~ is a food supplement.
10. (Currently Amended) The use method according to claim ~~[[9]]~~ 1, wherein the ~~foodstuffs composition are~~ is a dietary foodstuff~~[[s]]~~ or food ~~supplements~~.
11. (Currently Amended) The use method according to ~~any one of claims 1 to 10~~ claim 1, wherein the composition further comprises pharmaceutically acceptable additives and/or carriers.
12. (Currently Amended) The use method according to ~~any one of claims 1 to 11~~ claim 1, wherein the mammal is a human.
13. (Currently Amended) The use method according to ~~any one of claims 1 to 12~~ claim 1, wherein the whey permeate is hydrolyzed.
14. (Currently Amended) The use method according to ~~any one of claims 1 to 13~~ claim 1, wherein the whey permeate is partially hydrolyzed.